

CITY OF MARSHALL

ORDINANCE NO. 2011-O-24

AN ORDINANCE CONCERNING  
~~CLEAN AIR MODIFICATION CHARGE~~  
Electric Rates

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 12  
day of September, 2011.

ORDINANCE NO. 2011-O-24

AN ORDINANCE CONCERNING  
CLEAN AIR MODIFICATION CHARGE

BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That section 86-56 of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

**Sec. 86-56. Rates and charges.**

That there shall and there are hereby established rates and charges for the use of and for the service supplied by the electric system of the city, which rates and charges shall be called the electric facility charge, which charge shall be based upon the amount of electricity consumed and for facilities provided as follows:

- (1) Residential rate (R1):
  - a. *Availability:* Any customer located in territory served by the city may take service under this rate subject to the following conditions:
    1. Residential customers in a single-family dwelling or single-family unit located in an apartment building or for general farm purposes;
    2. That the energy delivered is not resold or redistributed; and
    3. That the customer does not have any electric generating equipment used to produce all or a portion of customer's electrical load requirements on a regular basis.
  - b. Conditions of service:
    1. Service will be delivered to the customer at no more than one of the following standard service facilities:
      - i. For all new single-family and all-electric duplex residential customers, a standard service shall consist of a service of 200 amps of capacity per dwelling unit and supplied at a standard utilization voltage of 120/240 volt, single-phase, three-wire.
        - A. For pre-manufactured homes and for existing service upgrades, a standard service shall consist of a

minimum service of 100 amps of capacity per dwelling unit and supplied at a standard utilization voltage of 120/240 volt, single-phase, three-wire.

- ii. For duplex residential customers that are not all-electric, the standard service shall consist of a service of 100 amps of capacity per dwelling of a standard utilization voltage of 120/240 volt, single-phase, three-wire.
  - iii. For services used exclusively for parking lot or area lighting, the standard service shall consist of a service of 100 amps of capacity at a standard utilization voltage of 120/240 volt, single-phase, three-wire.
- 2. The city will provide and maintain all facilities necessary to deliver one standard delivery voltage at one specified location to customer. The customer shall provide all necessary facilities for utilization of service at the specified delivery voltage and for the receipt at a single point of delivery.
  - 3. The customer will maintain its electric service entrance facilities in good repair and in full compliance with the requirements of all local, state and national codes and standards including all applicable terms and conditions of the latest issue of the National Electric Code ("NEC") and the National Electric Safety Code ("NESC").
- c. *Rates:* The total rate shall be the customer service charge plus energy charge plus energy cost adjustment plus clean air modification charge as follows:

1. *Customer service charge:*

Inside, per month: . . . ~~\$6.66~~ ~~\$5.25~~

Outside, per month: . . . ~~\$13.28~~ ~~+0.50~~

Commencing with the first billing for each customer after July 1 of each year, there shall be a four percent increase to the customer service charge in effect prior to the increase.

The "inside" charge will be applicable to all electrical service customers located within the city's corporate limits. The "outside" charge will be applicable to all electrical service customers located outside of the city's corporate limits.

2. *Energy charge.* The following charges shall apply to all usage:

All energy, per kWhr: \$0.06983 ~~\$0.06471~~

Commencing with the first billing for each customer after July 1 of each year, there shall be an increase to the energy charge, which increase shall be calculated by subtracting \$0.04538 from the energy charge in effect prior to the increase and multiplying the resulting figure by four percent.

3. *Energy cost adjustment:* The energy charges in subsection (1)c.2. of this section are subject to an energy cost adjustment ("ECA"). The ECA shall be in addition to the stated base rates and charges, and an additional amount shall be added to each bill for the ECA.

The ECA is hereby defined to be the increase in the average cost of energy per kWh purchased by the city during the base period and average cost of energy per kWh sold by the city during the current comparison period.

The base period for this energy cost adjustment clause is hereby designated as January 1, 1995 to December 31, 1995, and the base cost per kWh during the base period has been computed at \$0.04538 per kWh.

The current comparison period shall be defined as the month previous to the billed usage period.

That as soon as possible after the end of each current comparison period the ECA shall be computed. The ECA shall be expressed as an amount per kWh and the ECA shall go into effect at the next billing period after the end of the current comparison period and shall remain in effect until a new ECA has been computed.

The ECA rate shall be multiplied by the number of kWhs consumed by each customer and added to each bill for electrical service rendered.

4. *Clean Air Modification Charge:* \$0.000590 per kWhr (this charge shall terminate for all billings commencing November 1, 2016).

(2) *General service without demand (GS-1):*

a. *Availability:* Any customer located in territory served by the city may take service under this rate subject to the following conditions:

1. Customer is nonresidential;
2. That the energy delivered is not resold or redistributed; and
3. That the customer does not have any electric generating equipment used to produce all or a portion of customer's electrical load requirements on a regular basis.

b. *Conditions of service:*

1. Services will be delivered to customer at no more than one of the following standard delivery voltages:

Single phase service--3 wire 120/240 volts

Three phase service--4 wire 120/208 volts, grounded wye

2. The city will provide and maintain all facilities necessary to deliver one standard delivery voltage at one specified location to customer. Customer shall provide all necessary facilities for utilization of service at the specified delivery voltage and for the receipt at a single point of delivery.
3. Customer will maintain its electric service entrance facilities in good repair and in full compliance with the requirements of all local, state and national codes and standards including all applicable terms and conditions of the latest issue of the National Electric Code ("NEC") and the National Electric Safety Code ("NESC").

c. *Rates:* The total rate shall be the customer service charge plus energy charge plus energy cost adjustment plus clean air modification charge as follows:

1. Customer service charge.

Inside, per month: . . . \$13.28 ~~\$10.50~~

Outside, per month: . . . \$26.56 \$21.00

Commencing with the first billing for each customer after July 1 of each year, there shall be a four percent increase to the customer service charge in effect prior to the increase.

The "inside" charge will be applicable to all electrical service customers located within the city's corporate limits. The "outside" charge will be applicable to all electrical service customers located outside of the city's corporate limits.

2. *Energy charge.* The following charges shall apply to all usage:

For all energy, per kWhr: \$0.04770 ~~\$0.0757~~

Commencing with the first billing for each customer after July 1 of each year, there shall be an increase to the energy charge, which increase shall be calculated by subtracting \$0.04538 from the energy charge in effect prior to the increase and multiplying the resulting figure by four percent.

3. *Energy cost adjustment.* The energy charges in subsection (2)c.2. of this section are subject to the ECA outlined in subsection (1)c.3.

4. *Clean Air Modification Charge: \$0.000590 per kWhr (this charge shall terminate for all billings commencing November 1, 2016).*

- d. When both GS-1 and GS-2 service is available to a given customer, the choice of service shall lie with the customer. A customer having selected a class of service may not change to another class of service within a 12-month period unless there is a substantial change of reasonable permanency in the character, condition or extent of the customer's service.

(3) *General service with demand (GS-2):*

- a. *Availability:* Any customer located in territory served by the city may take service under this rate subject to the following conditions:
  1. Customer is nonresidential;
  2. That the energy delivered is not resold or redistributed;
  3. That the customer does not have any electric generating equipment used to produce all or a portion of customer's electrical load requirements on a regular basis; and
  4. Customer's monthly demand, as determined by the city, is more than 20 kW.

- b. *Conditions of service:*
1. Services will be delivered to customer at no more than one of the following standard delivery voltages:
    - i. Secondary service:  
  
Single phase service--3 wire 120/240 volts  
  
3 wire 120/208 volts (Network)  
  
Three phase service--4 wire 120/208 volts, grounded wye  
  
4 wire 277/480 volts, grounded wye
    - ii. Primary service:  
  
7,970/13,800 volts, 4-wire grounded wye connected, and as available at customer's location.
    - iii. Other standard voltage will be provided by the city, as available, under the terms of the city's rules and regulations applying to electric service.
  2. The city will provide and maintain all facilities necessary to deliver one standard delivery voltage at one specified location to customer. Customer shall provide all necessary facilities for utilization of service at the specified delivery voltage and for the receipt at a single point of delivery.
    - i. Should a customer install capacitors on the secondary side of the city's transformation facilities to improve the power factor of this installation, the customer shall provide, at the customer's expense, over-voltage protection to ensure that such added capacitance can be safely and automatically disconnected should the secondary voltage rise to unacceptable levels due to over-correction.
  3. Service shall be metered for both energy (kWh) usage and demand (kW) usage. Demand integration shall be over a 15-minute period.
  4. Customer shall be responsible for maintaining power factor at or above 85 percent lagging. If a customer's power factor falls below 85

percent lagging, the city will provide written notice to the customer of requirement to improve power factor above threshold level of 85 percent lagging. If the customer fails to correct the power factor within 90 days of such notice to a level acceptable to the city, the city reserves the right to apply power factor correction facilities outside of the customer's facilities at the cost of the customer.

5. Customer will maintain its electric service entrance facilities in good repair and in full compliance with the requirements of all local, state and national codes and standards including all applicable terms and conditions of the latest issue of the National Electric Code ("NEC") and the National Electric Safety Code ("NESC").

- c. *Rates:* The total rate shall be the customer service charge plus energy charge plus demand charge plus energy cost adjustment plus clean air modification charge as follows:

1. *Customer service charge:*

Inside, per month: ~~\$10.50~~ \$13.28

Outside, per month: ~~21.00~~ \$26.56

Commencing with the first billing for each customer after July 1 of each year, there shall be a four percent increase to the customer service charge in effect prior to the increase.

The "inside" charge will be applicable to all electrical service customers located within the city's corporate limits. The "outside" charge will be applicable to all electrical service customers located outside of the city's corporate limits.

2. *Energy charges.* The following charges shall apply to all usage:

First 360 X kW demand, per kWhr: . . . ~~\$0.04720~~ \$0.08375

Over 360 X kW demand: . . . 0.03221

Commencing with the first billing for each customer after July 1 of each year, there shall be an increase to the energy charge for the first 360 kWh per kW, which increase shall be calculated by subtracting \$0.04538 from the energy charge in effect prior to the increase and multiplying the resulting figure by four percent.

3. *Demand charge.* The following charges for demand shall apply to all usage:

For all demands, per kW-month: . . . ~~\$7.59~~ ~~\$6.00~~

The maximum demand per month shall be the maximum demand established in the billing month.

Commencing with the first billing for each customer after July 1 of each year, there shall be a four percent increase to the demand charge in effect prior to the increase.

4. Energy cost adjustment: The energy charges in subsection (3)c.2. of this section are subject to the ECA outlined in subsection (1)c.3.

5. *Clean Air Modification Charge: \$0.000590 per kWhr (this charge shall terminate for all billings commencing November 1, 2016).*

- d. When both GS-1 and GS-2 service is available to a given customer, the choice of service shall lie with the customer. A customer having selected a class of service may not change to another class of service within a 12-month period unless there is a substantial change of reasonable permanency in the character, condition or extent of the customer's service.

(4) *Private outdoor lighting:*

- a. *Availability:* Any customer located in territory served by the city for outdoor lighting service notwithstanding availability provisions in any other rate that all requirements be supplied thereunder.

- b. *Service to be furnished:* The city will furnish and operate the necessary facilities to supply service for outdoor lighting from dusk to dawn for the number of lighting units ordered by the customer, subject to the limitations set forth below.

- c. *Monthly charges:*

175 Watt . . . \$8.53

400 Watt . . . 14.50

1. Standard equipment for lighting units shall consist of a standard mercury vapor lamp, mounted in a luminaire, supported on a short bracket (approximately 30 inches), with photoelectric control.

2. If the connected load served hereunder requires the installation of a transformer exclusively to serve such load, the transformer shall be treated as an additional facility.

d. *Additional facilities:* If the installation of a standard lighting unit requires the installation by the city of facilities not required by the city for distribution purposes other than private lighting, the city will furnish, install, own and maintain the additional facilities (including wood poles of the type established as standard for service hereunder) which may be necessary to provide such lighting from nearby distribution lines. The city will make a monthly charge, in addition to the charges set forth above, of 2.1 percent of the cost to the city of furnishing and installing such facilities. In determining the amount of such monthly charge, the city may use unit prices for such additional facilities as the cost base, provided that such unit prices are at or below the city's average unit cost for such facilities.

e. *Ownership and maintenance of facilities:* The city shall own and be responsible for the maintenance of the city facilities installed to render the service ordered by the customer, but the city shall not be required to remove obstructions or trim trees that may interfere with proper distribution of light from lighting units. The customer will be responsible for the following:

1. The removal of any obstruction to the installation of facilities.
2. Provide any permits or easements required for their installation and maintenance.
3. Provide for access to them by the city trucks.

If a customer desires installation of a lighting unit on a customer owned pole, such pole must meet the city standards at the time of installation and as long as the lighting unit remains in service.

(5) *Temporary service; deposit required:*

a. A customer desiring temporary service of any kind shall be required to fill out the appropriate application for electric service form.

1. A customer requesting temporary service shall be responsible for providing metering equipment permanently mounted to a wood pole or other approved structure per the city's specifications.

- b. As soon as possible after the proper application is received by the city, an estimate of the costs of furnishing, installing and removing the required facilities to provide for the temporary service shall be mailed to the address, as supplied on the application form, of the party requesting the service.
- c. A charge of \$100.00 will be included in the estimate. Fifty dollars of this said amount is nonrefundable. Fifty dollars of this said amount will be held as a deposit to ensure the return of the revenue meter supplied by the city. This deposit shall be returned to the customer upon return of the meter in good working order.
- d. If after reviewing the estimate supplied by the city, the customer wishes to proceed with the installation of a temporary service, the estimated cost figure provided by the city plus the fee described in the paragraph above, shall be paid in advance by check made out to the city before any work shall be performed by the city.
- e. A temporary service shall not be installed until the city's zoning department has approved a building permit for the property.

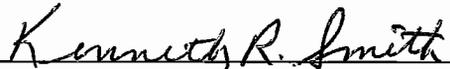
Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall be published in pamphlet form and shall take effect for all utility billings commencing November 1, 2011.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Beverly K. Church	✓		
Terry Clatfelter	✓		
John D. Ferris	✓		
Warren J. Le Fever	✓		
James McKittrick	✓		
Cheryl A. Raisner	✓		
Tim J. Sanders	✓		
James White	✓		

PASSED this 12 day of September, 2011.

APPROVED this 12 day of September, 2011.

  
\_\_\_\_\_  
MAYOR

ATTESTED, filed in my office,  
and published in pamphlet form  
this 12 day of September, 2011.

  
\_\_\_\_\_  
CITY CLERK

(SEAL)